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INTERNATIONAL PRELIMINARY EXAMINATION REPORT



(PCT Article 36 and Rule 70)

22 FEB 2004

Applicant's or agent's file reference 88TY1054	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/B 03/00923	International filing date (day/month/year) 14.03.2003	Priority date (day/month/year) 15.03.2002
International Patent Classification (IPC) or both national classification and IPC D03D1		
Applicant TOYODA BOSHOKU CORPORATION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 10.06.2003	Date of completion of this report 24.03.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer D'Souza, J Telephone No. +31 70 340-4236 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB 03/00923

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-19 as originally filed

Claims, Numbers

1-18 as originally filed

Drawings, Sheets

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/B 03/00923**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-18
	No: Claims	
Inventive step (IS)	Yes: Claims	1-18
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-18
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: US-A-5 865 464 (ISOBE TOSIO ET AL) 2 February 1999 (1999-02-02)

1 Claims 1 & 17 - Novelty (Article 33(2) PCT)

- 1.1 The document D1 is regarded as being the closest prior art to the subject-matter of claims 1 and 17, and discloses (the references in parentheses applying to this document):

A hollow-weave airbag that includes a bag portion (A, B) and a closed portion (3) that has two or more weave structures (3a, 3b) and adjoins the bag portion.

- 1.2 The subject-matter of claims 1 and 17 therefore differs from this known construction in that:

The closed portion includes, in sequence from the bag portion side, a first weave structure and a second weave structure which adjoins a side of the first weave structure opposite the bag portion side, and the first weave structure includes one or more portions with a looser weave structure than the second weave structure.

- 1.3 The subject matter of claims 1 and 17 is therefore novel (article 33(2) PCT).

2 Claims 13 & 18 - Novelty (Article 33(2) PCT)

- 2.1 The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

A hollow-weave airbag that includes a bag portion (A,B) and a closed portion

(3) that has two or more weave structures (3a, 3b) and adjoins the bag portion.

- 2.2 The subject-matter of claims 13 and 18 therefore differs from this known construction in that:

A weave structure of weave structures that constitute the closed portion, that adjoins the upper bag portion, is a reversed bag structure where a lower cloth thereof is formed of warp yarns and weft yarns that constitute an upper cloth of the bag portion, and an upper cloth thereof is formed of warp yarns and weft yarns that constitute a lower cloth of the bag portion.

3 Claims 1, 13, 17 & 18 - Inventive step (Article 33(3) PCT)

- 3.1 The problem to be solved by the present invention may be regarded as to how to suppress opening of stitches at a boundary of a bag portion and a closed portion on deployment to secure sufficient airtightness to maintain the airbag in a deployed state.
- 3.2 The solutions to the problem proposed in claims 1, 13, 17 and 18 of the present application are considered to involve an inventive step (Article 33(3) PCT), because in the available prior art neither construction is known nor suggested .

4 Dependent claims

- 4.1 Claims 2-12, 15 and 16 are dependent on claim 1, claim 14 is dependent on claim 13 and as such these claims also meet the requirements of the PCT with respect to novelty and inventive step.